

Maurice Hinchey NEWS

26TH CONGRESSIONAL DISTRICT, NEW YORK

FOR IMMEDIATE RELEASE
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HINCHEY FIGHTS FOR FEDERAL FUNDING OF WAVERLY DAM STUDY

WASHINGTON - U.S. Representative Maurice Hinchey (NY-26) today wrote to the Army Corps of Engineers to urge that federal funding for a study of Dry Brook Creek and Waverly Reservoir in the Village of Waverly be provided without further delay. Hinchey expressed his displeasure with the Army Corps' recent statement that it may not be able to fund the study in fiscal year 2002.

"We had to do a lot of work and jump over a number of hurdles to get to the point at which federal funding would be possible," Hinchey said today. "The Army Corps made a commitment to me that funding would be provided if we took care of things on the local end. For the Army Corps to say at this stage that funding is not available is just not acceptable to me."

Waverly has two water impoundment dams on Dry Brook Creek; the upper dam is used for sedimentation while the lower is used for drinking water. In the wake of Hurricane Agnes in 1972, the Corps breached the upper dam to relieve water pressure buildup. That breach has resulted in flooding and drinking water problems for Waverly when it rains. A study, which the Army Corps has estimated will cost \$135,000, would be used by Waverly to minimize flooding and reduce turbidity to allow for more consistent use of its water treatment plant.

In November 2000, Hinchey wrote to the Army Corps requesting federal funding for the study. The Corps responded that the program required non-federal matching funds to be secured in order for the federal funds to be obligated. The Corps further indicated that it did not anticipate any additional problems if these non-federal funds were assured.

Hinchey subsequently worked with Waverly to secure non-federal funds. On November 20, 2001 Waverly and the Army Corps signed a cost-sharing contract for the necessary study. More recently, however, the Army Corps informed Hinchey that budget constraints may leave the Corps without the resources to fund the Waverly study in this fiscal year, which ends September 30, 2002.

A copy of Hinchey's letter is attached.

December 12, 2001

Mr. Mike Parker
Assistant Secretary for Civil Works
Department of Army
Office of Assistant Secretary (Civil Works)
108 Army Pentagon
Washington, DC 20310-0108

Dear Assistant Secretary Parker:

I am writing to inform you of a Section 22 study of great importance to my Congressional District. I am seeking a study of Dry Brook Creek and Waverly Reservoir in the Village of Waverly, in Tioga County, New York. It is imperative that the Army Corps funds this project in the current fiscal year.

The Section 22 study will be used by Waverly to minimize flooding and reduce turbidity to allow for more consistent use of its water treatment plant. Waverly has two water impoundment dams on Dry Brook Creek; the upper dam is used for sedimentation while the lower is used for drinking water. The Corps breached the upper dam, which has resulted in flooding and drinking water problems for Waverly when it rains. Due to the reduced holding capacity of the lower dam, Waverly experiences flooding in its downtown commercial and residential areas, resulting in property damage. Due to increased turbidity in the lower dam caused by the breaching, Waverly's water treatment plant often becomes unusable during episodes of rain. In a January 1998 Plan of Study the Corps estimated that this study would cost \$135,000. This seems like a relatively small amount of money to help remedy this long-standing problem.

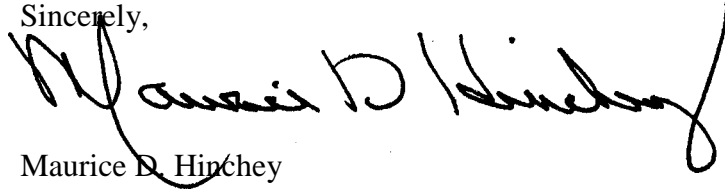
In November 2000, I wrote to the Army Corps requesting Federal funding for the Waverly study. In a letter dated December 21, 2000, then Assistant Secretary Westphal wrote to me that this study had not been initiated due to the fact that non-Federal funds had not been secured. His letter further stated that, "Federal funding for this study is not anticipated to be a problem once assurance of non-Federal funds is received."

Since that time, my office has worked with Waverly to secure non-Federal funds, and on November 20, 2001, Waverly and the Army Corps signed a cost-sharing contract for a Section 22 study. With Waverly's financial commitment, I was enthusiastic about the prospect of finally moving forward and assisting Waverly with its water problems. Unfortunately, my office was recently notified by the Baltimore District Army Corps office that given the Corps' fiscal year 2002 funding constraints, you will not have the resources to fund the Waverly study. Needless to say, given the written assurance that this study would be funded once the non-Federal match was secured, this is not an acceptable outcome to me.

In a subsequent conversation with the Section 22 program in Washington, DC, my staff was informed that Waverly will be the first Section 22 project to be funded should additional Federal funds become available, and that there is a strong possibility that these funds will become available as early as January 2002. I sincerely hope this is the case, and I urge you to work to ensure that Federal funding for this important study is secured as soon as possible in the current fiscal year.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Maurice D. Hinchey". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Maurice D. Hinchey